

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

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|--------------------------------|---|------------------------------|
| WADITH STOCKINGER NADER and |) | Case No. 8:17-cv-00083 |
| STACEY NICHOLE NADER, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | INDEX OF EVIDENCE IN SUPPORT |
| vs. |) | OF MOTION FOR SUMMARY |
| |) | <u>JUDGMENT</u> |
| THE CITY OF PAPILLION; SARPY |) | |
| COUNTY; BRYAN SVAJGL; BENJAMIN |) | |
| IVERSEN; SCOTT A. LYONS; L. |) | |
| KENNETH POLIKOV; and JENNIFER |) | |
| MIRALLES, |) | |
| |) | |
| Defendants. |) | |

COME NOW the Defendants, The City of Papillion, Benjamin Iversen, Bryan Svajgl, and Scott A. Lyons, and hereby offer the following evidence in support of their Motion for Summary Judgment (Filing No. 49):

| <u>Filing No.</u> | <u>Description</u> |
|-------------------|---|
| 40-6 | Affidavit of Benjamin Perlman. |
| 40-7 | Exhibit "A" to Affidavit of Benjamin Perlman- Criminal Complaint in Sarpy County Court against Wadith Nader. |
| 40-8 | Affidavit of Shelby Mertins. |
| 40-9 | Exhibit "A" to Affidavit of Shelby Mertins- CyberTip 3184694 from National Center for Exploited and Missing Children with supplemental reports. |
| 40-10 | Exhibit "B" to Affidavit of Shelby Mertins- CyberTip 3320099 from National Center for Exploited and Missing Children with supplemental reports. |
| 40-11 | Exhibit "C" to Affidavit of Shelby Mertins- Investigative Analysis- Report of Mertins. |
| 40-12 | Affidavit of Bryan Svajgl. |
| 40-13 | Exhibit "A" to Affidavit of Bryan Svajgl- Application for Search Warrant. |

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| 40-14 | Exhibit "B" to Affidavit of Bryan Svajgl- Search Warrant judicially issued for Nader residence. |
| 40-15 | Exhibit "C" to Affidavit of Bryan Svajgl- Affidavit for Warrantless Arrest of Wadith Nader. |
| 40-16 | Affidavit of Vincent Valentino |
| 40-17 | Exhibit "A" to Affidavit of Vincent Valentino- Selected public records from <u>State of Nebraska v. Wadith Nader</u> , Sarpy County District Court Case No. CR 15-1114 |
| 40-18 | Exhibit "B" to Affidavit of Vincent Valentino- Deposition transcript of Wadith Nader, with Deposition Exhibit 2: Plaintiff's Answers to Defendant County's Interrogatories and Responses to Requests for Production. |
| 40-19 | Exhibit "C" to Affidavit of Vincent Valentino- Deposition transcript of Stacey Nader. |
| 47 | Affidavit of Zachary Lutz-Preifert. |
| 47 | Exhibit "A" to Affidavit of Zachary Lutz-Preifert - Deposition transcript of Benjamin Iversen. |
| 47 | Exhibit "B" to Affidavit of Zachary Lutz-Preifert - Deposition transcript of Bryan Svajgl. |
| 51-1 | Affidavit of Scott A. Lyons. |
| 51-2 | Exhibit "A" to Affidavit of Scott A. Lyons- Papillion Police Department policies. |

THE CITY OF PAPILLION, BRYAN SVAJGL,
BENJAMIN IVERSEN AND SCOTT A. LYONS,
Defendants

By: /s/ Ryan M. Kunhart
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Papillion, Bryan Svajgl, Benjamin Iversen
and Scott Lyons

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

| | |
|---------------------------|------------------------------|
| Christopher J. Tjaden: | ctjaden@grosswelch.com |
| Zachary W. Lutz-Priefert: | zlutzpriefert@grosswelch.com |
| Vincent Valentino: | vince@nrmainc.info |

s/ Ryan M. Kunhart
Ryan M. Kunhart